

EXHIBIT A

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
3 SOUTHERN DIVISION

4 WILLIAM DAVID SEAL,
5 Plaintiff,

6 VERSUS CIVIL ACTION NO: 1:08cv175LG-RHW

7 HARRISON COUNTY, MISSISSIPPI,
8 by and through its Board of
9 Supervisors; HARRISON COUNTY
10 SHERIFF, George Payne, in his
11 official capacity; CORRECTIONS
12 OFFICER THOMAS PRESTON WILLS,
13 acting under color of state
law; CORRECTIONS OFFICER RYAN
TEEL, acting under color of
state law; CORRECTIONS OFFICER
MORGAN THOMPSON, acting under
color of state law,
Defendants.

14

15 DEPOSITION OF WILLIAM DAVID SEAL

16 Taken at the offices of Brown Buchanan,
17 P.A., 796 Vieux Marche' Mall, Suite 1,
18 Biloxi, Mississippi, on Thursday,
19 August 20, 2009, beginning at 9:30 p.m.

20

21 APPEARANCES:

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COPY

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25

1 no.

2 Q. Okay. Well, when did you start
3 drinking?

4 A. Sometime in the evening.

5 Q. Okay. What were you drinking?

6 A. Beer.

7 Q. How much do you think you drank that
8 day?

9 A. A six-pack maybe.

10 Q. That's all you drank was a six-pack of
11 beer?

12 A. Yes, ma'am.

13 Q. Okay. Because I remember in your
14 medical records it stated you didn't recall
15 everything that happened. Now, was that because
16 you were drunk?

17 A. No.

18 Q. All right. You just didn't remember --

19 A. Because my head was slammed into the
20 pavement by the booking officers. It's hard to
21 remember after that.

22 Q. Okay. Slammed into the pavement by the
23 booking officers.

24 Now, do you think the same people that
25 arrested you are the same people that booked you

1 don't know where they went. I've never seen them
2 since, nor prior to that.

3 Q. Okay. Now, they were accusing two of
4 your sons for looting their home or another home?

5 A. The house right next door. It was not
6 their home.

7 Q. Did y'all get into an argument?

8 A. Yeah.

9 Q. Okay. And what was said during that?

10 A. I told them my sons were not even here,
11 so it would be impossible for them to loot
12 anyplace if they were not physically here and that
13 they should get off of my property.

14 Q. And what did they say, okay, see you
15 later, or did y'all get into a little argument
16 there?

17 A. They said, well, we understand that they
18 did loot your home -- loot the home next door.
19 And I said, I think you better get the hell off of
20 my property.

21 Q. And were they saying that they looted it
22 that night or a previous night?

23 A. They didn't say.

24 Q. Were your two sons ever home a couple --
25 since Katrina to this date of arrest, that time

1 Q. Did y'all hang out much, socialize?

2 A. No. They're a lot younger.

3 Q. Okay. Now, after these women drove off,
4 you started calling the Gulfport Police
5 Department, didn't you?

6 A. (Nodding head affirmatively.)

7 MR. BRENDEL:

8 Answer out loud. You have to answer out
9 loud.

10 THE WITNESS:

11 Yes, yes, yes. Thank you.

12 MS. BROOM:

13 Q. You started calling the Gulfport Police
14 Department, and you used extreme profanity, didn't
15 you?

16 A. Yes.

17 Q. And for the record, I hate to say it,
18 but motherfucker, asshole, God damn, you said all
19 of that, didn't you?

20 A. Probably.

21 Q. Now, why were you cussing the
22 dispatcher?

23 A. Because they were blowing me off, saying
24 I could do something tomorrow, come fill out a
25 complaint.

1 stating that you were very hostile and sarcastic?

2 Do you agree with that?

3 A. Yes.

4 Q. You agree that you were very hostile and
5 sarcastic with the dispatcher?

6 A. Yes.

7 Q. Now, they hung up on you. And you
8 called back, correct?

9 A. Yes.

10 Q. Did you start talking again to the same
11 person?

12 A. Yes. And she had a captain, I believe,
13 or somebody, lieutenant, somebody --

14 Q. And what was said during that second
15 call?

16 A. Essentially the same things, and he hung
17 up.

18 Q. Okay. Did you call back?

19 A. No. I remember two calls.

20 Q. Did you eventually hang up on them? Did
21 you terminate the last call?

22 A. That's possible. I couldn't --

23 Q. Did they tell you that the units were on
24 the way to handle the problem?

25 A. Uh-huh. Yes, ma'am.

1 Q. Off your car.

2 A. I remember getting off of my car when
3 they drove up.

4 Q. You don't recall them asking you to get
5 off the car and you responding, fuck you guys?

6 A. No.

7 Q. And then running into your -- or
8 attempting to run into your house?

9 A. No.

10 Q. Okay. Now, you were resistant with
11 them, weren't you?

12 A. I don't think when a cop comes up to me
13 and says, I am -- pardon my language, says I'm
14 sick of this shit and snatches me by my shirt and
15 the other ones jump on me, I feel I can do
16 whatever I need to to protect my being.

17 Q. All right. And I understand that. I
18 just want to know about what happened there
19 because it looks like there was a big scuffle and
20 a lot went down there when the Gulfport Police
21 Department arrived.

22 A. The same cop had been to my house in the
23 past. My wife has schizoaffective disorder. In
24 the past, I can't tell you when, she was pretty
25 psychotic. She had a knife. I called the

1 you and want to take you down; did you understand
2 that?

3 A. No.

4 Q. Okay. You were kind of confused,
5 weren't you, about what was going on?

6 A. Yeah.

7 Q. Now, they eventually took you and threw
8 you to the ground, didn't they?

9 A. I thought it was to the ground. It was
10 -to the trunk of my car.

11 Q. To the trunk of your car?

12 A. Because my neighbor was outside then,
13 Crystal Gomez.

14 Q. Now --

15 A. I did not see her.

16 Q. Right. And I realize you thought, at
17 one time, it was to the pavement, correct?

18 A. Yes.

19 Q. Now, if you would have told the doctors
20 it was to the pavement, you were actually taken to
21 the ground, weren't you?

22 A. I thought so. She said it was to the
23 back of the truck -- the trunk.

24 Q. Well, I'm not asking you what she said
25 or thinks. I'm asking you what you remember and

1 MS. BROOM:

2 Q. On the second page --

3 MR. BUCHANAN:

4 Are we going to attach this, since we
5 talked about it?

6 MS. BROOM:

7 Yeah. I'll attach, as Exhibit 1, the
8 Uniform Arrest Report.

9 (Exhibit 1 was marked.)

10 MS. BROOM:

11 Q. And I'm referring to the second page
12 right here, if you'll read that, and preferably
13 just the first line. Doesn't it say, Altercation
14 with police officer and face hit pavement. He has
15 been drunk since -- drinking since 9/4/05, 4:00 to
16 5:00 p.m., does not remember much about event.
17 And that's all I'm going to ask you about right
18 now.

19 A. Okay. Well --

20 Q. Did you tell the ER doctor this, that
21 you were -- that your face hit the pavement?

22 A. Ma'am, to be honest with you, I was in
23 handcuffs, taken from the jail after the jailers
24 had beaten me. I was with one cop, he and I.
25 Between the jail, Gulfport Memorial, Gulfport

1 Q. -- took you down?

2 A. Right. But I know after the booking
3 officer slammed me into the pavement, I know there
4 was blood going down in front of my eye. So, now,
5 did a laceration occur to my left eye from the
6 Gulfport police that was exacerbated by the
7 booking officers, I can't say.

8 Q. But my question is: Isn't it true that
9 a laceration did occur from the Gulfport Police
10 Department?

11 A. Correct. As to location, I'm not sure.

12 Q. Okay. But it could --

13 A. Because there was one here and up here.

14 Q. Correct. But the one on your left
15 eyebrow, it could have occurred from the Gulfport
16 Police Department, couldn't it?

17 A. Could have.

18 Q. And it did, in fact, occur because of
19 the Gulfport Police Department, didn't it,
20 according to your statements to Memorial Hospital?

21 A. I don't know where that laceration came
22 from at the time. If I was in cuffs, how would I
23 know?

24 Q. Well, you're suing the Harrison County
25 jail, aren't you, and alleging that they caused